



1Fn
RCE

PATENT
ATTORNEY DOCKET NO.: 040894-7382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Futoshi KAMEDA) Confirmation No.: 5113
Application No.: 10/566,583) Group Art Unit: 3721
Filed: January 31, 2006) Examiner: Lindsay M. Low
For: STAPLER HAVING A STAPLE) Mail Stop RCE
SUPPORT SURFACE ON A PUSHER)

Commissioner for Patents
Customer Window, Mail Stop RCE
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☒ Previously submitted:
- ☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 18, 2009 (Any unentered amendment(s) referred to above will be entered).
 - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - ☐ Other _____.
- ☐ Enclosed:
- ☐ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement
 - ☐ Form 1449
 - ☐ Other _____.

2. Miscellaneous

04/20/2009 SZEWDIE1 00000045 500310 10566583
01 FC:1801 810.00 DA
02 FC:1251 130.00 DA

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other _____

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$810.00
- ☐ \$405.00 (for small entity)

(b) Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$245.00
<input type="checkbox"/> three months	\$1,110.00	\$555.00
<input type="checkbox"/> four months	\$1,730.00	\$865.00

The extension of time fee for this request: \$130.00

If an additional extension of time is required, please consider this a Petition therefor.

(c) Additional Claims Fees

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	6	minus	20	0	x \$52 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$220 each=	+ \$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$370.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$ ____.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 the total amount of **\$940.00** (\$810.00 for the RCE filing fee and \$130.00 for one-month extension of time fee).
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:


David E. Connor
Registration No. 59,868

Dated: April 17, 2009

CUSTOMER NO. 009629

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